



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edward Wechner
Serial No.: 10/050,679
Filed: 01/15/2002
For: FREE-PISTON INTERNAL COMBUSTION
ENGINE WITH VALVES LOCATED IN PISTONS

Attorney file: 5610
Examiner: ALI, HYDER
Group: 3747
PCT App.: PCT/AU01/00560

**DECLARATION TO UNINTENTIONAL ERROR IN
CLAIMING PRIORITY TO AUSTRALIAN PROVISIONAL
INSTEAD OF AUSTRALIAN NON-PROVISIONAL APPLICATION**

I, Michael Anderson-Taylor, attesting to the following:

That I am the Australian attorney of record for the International PCT Application Serial No. PCT/AU01/00560, filed on May 16, 2001; Australian Non-Provisional Patent Application Serial No. 42050/01, filed on May 4, 2001; and Australian Provisional Patent Application Serial No. PQ8065, filed on June 9, 2000;

That International PCT Application Serial No. PCT/AU01/00560 and Australian Non-Provisional Patent Application Serial No. 42050/01 both claim priority to Australian Provisional Patent Application Serial No. PQ8065;

That my law firm transmitted a copy of the International PCT Application Serial No. PCT/AU01/00560; a copy of the international search report for the aforementioned application; a small entity statement; and a combination Declaration and Power of Attorney to the U.S. law firm of JACOBSON & JOHNSON for entrance of the U.S. National Phase of International PCT Application Serial No. PCT/AU01/00560;

That in the preparation of the Declaration and Power of Attorney for the above identified patent application, priority was inadvertently claimed to Australian Provisional Patent Application

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Serial No. PQ8065 instead of Australian Non-Provisional Patent Application Serial No. 42050/01;

That the claim of priority to Australian Provisional Patent Application Serial No. PQ8065 was an unintentional error;

That it was my intention to claim priority to Australian Non-Provisional Patent Application Serial No. 42050/01;

That the above is supported by the fact that I instructed JACOBSON & JOHNSON to submit the priority document comprising of a certified copy of Australian Non-Provisional Patent Application Serial No. 42050/01, which was transmitted to JACOBSON & JOHNSON for filing with the U.S. Patent Office under Rule 35 U.S.C. 119(b).

That the above is further supported by the fact that there was no need to claim priority to Australian Provisional Patent Application Serial No. PQ8065 as priority to Australian Provisional Patent Application Serial No. PQ8065 would have been received by way of International PCT Application Serial No. PCT/AU01/00560, thereby providing the above-identified application with two claims for priority;

I the undersigned hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 28 October, 2003

By: Michael Anderson-Taylor

Michael Anderson-Taylor

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